

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

United States of America

v.

Yolanda Lawrence,

Defendant.

Deferred Prosecution Agreement

S7 23 Cr. 80 (LTS)

TO: Yolanda Lawrence

On November 29, 2022, criminal complaint 22 Mag. 9613 was issued by a United States Magistrate Judge in the Southern District of New York, accusing you of committing offenses against the United States, to wit, conspiracy to commit wire fraud in violation of Title 18, United States Code, Section 1349, and wire fraud, in violation of Title 18, United States Code, Sections 1343 and 2. On April 26, 2023, a grand jury returned Superseding Indictment S5 23 Cr. 80 (LTS), charging you in two counts with the same offenses, and on May 24, 2023, a grand jury returned Superseding Indictment S7 23 Cr. 80 (LTS), charging you and another defendant in two counts with the same offenses.

You hereby admit to the facts set forth in the November 29, 2022 complaint which pertain to your conduct—specifically paragraphs 1 through 3, 7, 10(c), and 41 through 48. Specifically, on or about June 30, 2020, you caused to be filed and conspired with others to file a fraudulent Economic Injury Disaster Loan (“EIDL”) application with the Small Business Administration (“SBA”). The EIDL application contained false statements, including statements regarding the number of employees your purported business had and its gross revenue in the 12-month period ending January 31, 2020.

Although you have admitted to this conduct, after a thorough investigation it has been determined that the interest of the United States and your own interest will best be served by deferring prosecution in this District. Prosecution will be deferred during the term of your good behavior and satisfactory compliance with the terms of this agreement for the period of six months from the signing of this agreement. The terms and conditions constituting your good behavior and satisfactory compliance are as follows:

- (1) You shall refrain from violation of any law (federal, state and local). You shall immediately contact your U.S. Pretrial Services Officer if arrested or questioned by a law-enforcement officer.
- (2) You shall associate only with law-abiding persons.
- (3) You shall notify your supervising U.S. Pretrial Services Officer immediately of any change in your place of residence.
- (4) You shall follow your supervising U.S. Pretrial Services Officer's instructions and advice.

(5) You shall report to your supervising U.S. Pretrial Services Officer as directed.

(6) You shall pay restitution to the United States Small Business Administration ("SBA") in the amount of \$63,800. To satisfy this restitution obligation, you shall pay \$200 each month to the SBA.

As a further condition you hereby consent to disclosure, by any federal, state or local government agency, or by any medical or substance abuse treatment provider, to the U.S. Pretrial Services Officer supervising your case, of such medical and treatment records as may be requested by the Pretrial Services Officer to evaluate deferral of prosecution in this case. You further agree that you will execute any additional consent forms that any such agency or provider may require to release such information.

Special conditions are as follows:

The United States Attorney may at any time revoke or modify any condition of this provisional release or change the period of such supervision. The United States Attorney may discharge you from supervision at any time. The United States Attorney may at any time proceed with the prosecution for this offense should the United States Attorney, in his or her sole discretion, deem such action advisable.

If upon completion of your supervision a written report from your supervising U.S. Pretrial Services Officer is received to the effect that you have complied with all the rules, regulations and conditions and special conditions applicable to your deferred prosecution, no further prosecution will be instituted in this District for the above offenses, and the United States Attorney's Office will move to dismiss the indictments pending against you.

Dated: New York, New York
November 22, 2023

DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York

By: /s/ Derek Wikstrom
Rebecca T. Dell
Derek Wikstrom
Assistant United States Attorneys
Tel: (212) 637-2198 / 1085

The undersigned hereby consents to the foregoing and expressly waives any and all rights to a speedy trial pursuant to the Sixth Amendment to the United States Constitution, the Speedy Trial Act, 18 U.S.C. §§3161 et seq., and any other pertinent provisions, and consents to the adjournment of all pending proceedings in this case. The undersigned further waives the applicable statute of limitations with respect to any prosecution that is not time-barred on the date that this agreement is signed. It is the intent of this provision to toll the applicable statute of limitations during the pendency of the deferred prosecution.

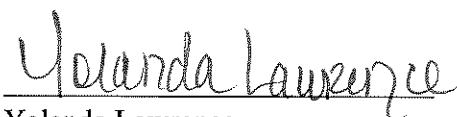
Dated: New York, New York

12/13, 2023



Glenn Garber, Esq.

Attorney for Defendant



Yolanda Lawrence

Defendant

Pursuant to 18 U.S.C. §3161(h)(2), exclusion under the Speedy Trial Act of the period of time during which the prosecution of the defendant is deferred pursuant to this agreement is hereby approved.

Dated: New York, New York

December 13, 2023



Hon. Laura Taylor Swain

Chief United States District Judge

The undersigned hereby consents to the foregoing and will accept supervision of the above-named defendant on the conditions set forth herein.

Dated: New York, New York

November 22, 2023

/s/ Francesca Tessier-Miller

Francesca Tessier-Miller

United States Pretrial Services Officer